

PART A

GENERAL PROVISIONS

1. **Scope.** Except as otherwise specifically provided, these regulations apply to all persons who receive, possess, use, transfer, own or acquire any source of radiation; provided, however that nothing in these regulations shall apply to any person to the extent such person is subject to regulation by the U.S. Nuclear Regulatory Commission.^{1/}
2. **Definitions.** As used in these regulations, these terms have the definitions set forth below. Additional definitions used only in a certain part will be found in that part.

Absorbed dose means the energy imparted by ionizing radiation per unit mass of irradiated material. The units of absorbed dose are the Gray (Gy) and the rad.

Accelerator means any machine capable of accelerating electrons, protons, deuterons, or other charged particles in a vacuum and of discharging the resultant particulate or other radiation into a medium at energies usually in excess of 1 MeV.

Accelerator-produced material means any material made radioactive by a particle accelerator. See Appendix B of Part C.

Act means 22 MRSA c. 160.

Activity means the rate of disintegration or transformation or decay of radioactive material. The units of activity are the becquerel (Bq) and the curie (Ci).

Adult means an individual 18 or more years of age.

Agency means Department of Human Services.

Agreement state means any State with which the U.S. Nuclear Regulatory Commission or the U.S. Atomic Energy Commission has entered into effective agreement under subsection 274b. of the Atomic Energy Act of 1954, as amended.

Airborne radioactive material means any radioactive material dispersed in the air in the form of particulates, dusts, fumes, mists, vapors, or gases.

Airborne radioactivity area means a room, enclosure, or area in which airborne radioactive materials exist in concentrations:

- (1) In excess of the derived air concentrations (DACs) specified in Appendix B, Table I of Part D of these regulations, or
- (2) To such a degree that an individual present in the area without respiratory protective equipment could exceed, during the hours an individual is present in a week, an intake of 0.6 percent of the annual limit on intake (ALI) or 12 DAC-hours.

Air-purifying respirator means a respirator with an air-purifying filter, cartridge, or canister that removes specific air contaminants by passing ambient air through the air-purifying element.

^{1/} Attention is directed to the fact that regulation by the State of source material, byproduct material, and special nuclear material in quantities not sufficient to form a critical mass is subject to the provisions of the agreement between the State and the U.S. Nuclear Regulatory Commission and to 10 CFR Part 150 of the Commission's regulations.

Alert means events may occur, are in progress, or have occurred that could lead to a release of radioactive material but that the release is not expected to require a response by offsite response organizations to protect persons offsite.

As low as is reasonably achievable (ALARA) means making every reasonable effort to maintain exposures to radiation as far below the dose limits in these regulations as is practical, consistent with the purpose for which the licensed or registered activity is undertaken, taking into account the state of technology, the economics of improvements in relation to state of technology, the economics of improvements in relation to benefits to the public health and safety, and other societal and socioeconomic considerations, and in relation to utilization of nuclear energy and licensed or registered sources of radiation in the public interest.

Assigned Protection Factor (APF) means the expected workplace level of respiratory protection that would be provided by a properly functioning respirator or a class of respirators to properly trained and fitted users. Operationally, the inhaled concentration can be estimated by dividing the ambient airborne concentration by the APF.

Atmosphere-supplying respirator means a respirator that supplies the respirator user with breathing air from a source independent of the ambient atmosphere, and includes supplied-air respirators (SAR's) and self-contained breathing apparatus (SCBA) units.

Atomic energy means all forms of energy released in the course of nuclear fission or nuclear transformation.

Background radiation means radiation from cosmic sources; naturally occurring radioactive materials, including radon, except as a decay product of source or special nuclear material, and including global fallout as it exists in the environment from the testing of nuclear explosive devices. "Background radiation" does not include sources of radiation from radioactive materials regulated by the Agency.

Becquerel (Bq) means the SI unit of activity. One becquerel is equal to 1 disintegration or transformation per second (dps or tps).

Bioassay means the determination of kinds, quantities or concentrations, and, in some cases, the locations of radioactive material in the human body, whether by direct measurement, in vivo counting, or by analysis and evaluation of materials excreted or removed from the human body. For purposes of these regulations, "radio-bioassay" is an equivalent term.

Brachytherapy means a method of radiation therapy in which sealed sources are utilized to deliver a radiation dose at a distance of up to a few centimeters, by surface, intracavitary, or interstitial application.

Byproduct material means (a) any radioactive material, except special nuclear material, yielded in or made radioactive by exposure to the radiation incident to the process of producing or utilizing special nuclear material, (b) the tailings or wastes produced by the extraction or concentration of uranium or thorium from any ore processed primarily for its source material content, including discrete surface wastes resulting from uranium or thorium solution extraction processes. Underground ore bodies depleted by these solution extraction operations do not constitute "byproduct material" within this definition.

Calendar quarter means not less than 12 consecutive weeks or more than 14 consecutive weeks. The first calendar quarter of each year shall begin in January and subsequent calendar quarters shall be so arranged such that no day is included in more than one calendar quarter and no day in any one year is omitted from inclusion within a calendar quarter. No licensee or registrant shall change the method observed by him of determining calendar quarters for purposes of these regulations except at the beginning of a year.

Calibration means the determination of (a) the response or reading of an instrument relative to a series of known radiation values over the range of the instrument, or (b) the strength of a source of radiation relative to a standard.

CFR means Code of Federal Regulations.

Chelating agent means amine polycarboxylic acids, hydroxy-carboxylic acids, gluconic acid, and polycarboxylic acids.

Collective dose means the sum of the individual doses received in a given period of time by a specified population from exposure to a specified source of radiation.

Commencement of construction means any clearing of land, excavation, or other substantial action that would adversely affect the natural environment of a site but does not include changes desirable for the temporary use of the land for public recreational uses, necessary borings to determine site characteristics or other pre-construction monitoring to establish background information related to the suitability of a site or to the protection of environmental values.

Committed dose equivalent ($H_{T,50}$) means the dose equivalent to organs or tissues of reference (T) that will be received from an intake of radioactive material by an individual during the 50-year period following the intake.

Committed effective dose equivalent ($H_{E,50}$) is the sum of the products of the weighting factors applicable to each of the body organs or tissues that are irradiated and the committed dose equivalent to each of these organs or tissues ($H_{E,50} = \sum w_T H_{T50}$).

Controlled area means an area, outside of a restricted area but inside the site boundary, access to which can be limited by the licensee or registrant for any reason

Critical Group means the group of individuals reasonably expected to receive the greatest exposure to residual radioactivity for any applicable set of circumstances.

Curie means a unit of quantity of radioactivity. One curie (Ci) is that quantity of radioactive material, which decays at the rate of 3.7×10^{10} transformations per second (tps). Commonly used submultiples of the curie are the millicurie and the microcurie. One millicurie (mCi) = 0.0001 curie = 3.7×10^7 tps. One microcurie (μ Ci) = 0.000001 curie = 3.7×10^4 tps.

Deep-dose equivalent (H_d), which applies to external whole body exposure, means the dose equivalent at a tissue depth of 1 centimeter (1000 mg/cm^2).

Demand respirator means an atmosphere-supplying respirator that admits breathing air to the face piece only when a negative pressure is created inside the face piece by inhalation.

Decommission means to remove (as a facility) safely from service and reduce residual radioactivity to a level that permits release of the property for unrestricted use and termination of the license.

Depleted uranium means the source material uranium in which the isotope uranium-235 is less than 0.711 weight percent of the total uranium present. Depleted uranium does not include special nuclear material.

Dentist means an individual duly registered and licensed to practice dentistry or dental surgery or any branch thereof under 32 MRSA §1082.

Disposable respirator means a respirator for which maintenance is not intended and that is designed to be discarded after excessive breathing resistance, sorbent exhaustion, physical damage, or end-of-service-life renders it unsuitable for use. Examples of this type of respirator are a disposable half-mask respirator or a disposable escape-only self-contained breathing apparatus (SCBA).

Distinguishable from background means that the detectable concentration of a radionuclide is statistically different from the background concentration of that radionuclide in the vicinity of the site or, in the case of structures, in similar materials using adequate measurement technology, survey, and statistical techniques.

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Dose is a generic term that means absorbed dose, dose equivalent, effective dose equivalent, committed dose equivalent, committed effective dose equivalent, total organ dose equivalent, or total effective dose equivalent. For purposes of these regulations, "radiation dose" is an equivalent term.

Dose equivalent (H_T) means the product of the absorbed dose in tissue, quality factor, and all other necessary modifying factors at the location of interest. The units of dose equivalent are the sievert (Sv) and the rem.

Dose limits means the permissible upper bounds of radiation doses established in accordance with these regulations. For purposes of these regulations, "limits" is an equivalent term.

Effective dose equivalent (H_E) means the sum of the products of the dose equivalent to each organ or tissue (H_T) and the weighting factor (w_T) applicable to each of the body organs or tissues that are irradiated ($H_E = \sum w_T H_T$).

Effective kilogram means (1) for the source material uranium in which the uranium isotope uranium - 235 is greater than 0.005 (0.5 weight percent) of the total uranium present: 10,000 kilograms, and (2) for any other source material: 20,000 kilograms.

Effective kilograms of special nuclear material means: (1) For plutonium and uranium-233 their weight in kilograms; (2) For uranium with an enrichment in the isotope U-235 of 0.01 (1%) and above, its element weight in kilograms multiplied by the square of its enrichment expressed as a decimal weight fraction; and (3) For uranium with an enrichment in the isotope U-235 below 0.01 (1%), by its element weight in kilograms multiplied by 0.0001.

Embryo / fetus means the developing human organism from conception until the time of birth.

Entrance or access point means any opening through which an individual or extremity of an individual could gain access to radiation areas or to licensed or registered radioactive materials. This includes entry or exit portals of sufficient size to permit human entry, irrespective of their intended use.

Explosive material means any chemical compound, mixture, or device, which produces a substantial instantaneous release of gas and heat spontaneously or by contact with, sparks or flame.

Exposure means being exposed to ionizing radiation or to radioactive material.

Exposure means the quotient of dQ by dm where "dQ" is the absolute value of the total charge of the ions of one sign produced in air when all the electrons (negatrons and positrons) liberated by photons in a volume element of air having mass "dm" are completely stopped in air. The units of exposure are the coulomb per kilogram (C/kg) and the roentgen (R).

Exposure rate means the exposure per unit of time, such as roentgen per minute and milliroentgen per hour.

External dose means that portion of the dose equivalent received from any source of radiation outside the body.

Extremity means hand, elbow, and arm below the elbow, foot, knee, and leg below the knee.

Filtering face piece (dust mask) means a negative pressure particulate respirator with a filter as an integral part of the face piece or with the entire face piece composed of the filtering medium.

Fit factor means a quantitative estimate of the fit of a particular respirator to a specific individual and typically estimates the ratio of the concentration of a substance in ambient air to its concentration inside the respirator when worn.

Fit Test means the use of a protocol to qualitatively or quantitatively evaluate the fit of a respirator on an individual.

Former U.S. Atomic Energy Commission (AEC) or U.S. Nuclear Regulatory Commission (NRC) licensed facilities means nuclear reactors, nuclear fuel reprocessing plants, uranium enrichment plants, or critical mass experimental facilities where AEC or NRC licenses have been terminated.

Formula quantity means strategic special nuclear material in any combination in a quantity of 5000 grams or more computed by the formula, $\text{grams} = (\text{grams contained U - 235}) + 2.5 (\text{grams U - 233} + \text{grams plutonium})$. This class of material is sometimes referred to as a Category I quantity of material.

Generally applicable environmental radiation standards means standards issued by the U.S. Environmental Protection Agency (EPA) under the authority of the Atomic Energy Act of 1954, as amended, that impose limits on radiation exposures or levels, or concentrations or quantities of radioactive material, in the general environment outside the boundaries of locations under the control of persons possessing or using radioactive material.

Gray means the SI unit of absorbed dose. One gray (Gy) is equal to an absorbed dose of 1 joule per kilogram (100 rad).

Hazardous waste means those wastes designated as hazardous by the U.S. Environmental Protection Agency regulations in 40 CFR Part 261.

Healing arts means any discipline which involves the diagnosis or treatment of individuals by a practitioner who is licensed for that purpose by the State of Maine, and which discipline, prior to the effective date of these regulations, included the intentional exposure of individuals to sources of radiation for diagnosis or treatment

Helmet means a rigid respiratory inlet covering that also provides head protection against impact and penetration.

High radiation area means an area, accessible to individuals, in which radiation levels from radiation sources external to the body could result in an individual receiving a dose equivalent in excess of 0.1 rem (1 mSv) in 1 hour at 30 centimeters from the radiation source or 30 centimeters from any surface that the radiation penetrates.

Hood means a respiratory inlet covering that completely covers the head and neck and may also cover portions of the shoulders and torso.

Human use means the internal or external administration of radiation or radioactive material to human beings.

Individual means any human being.

Individual monitoring means the assessment of:

- (1) Dose equivalent (1) by the use of individual monitoring devices or (2) by the use of survey data; or
- (2) Committed effective dose equivalent (1) by bioassay or (2) by determination of the time-weighted air concentrations to which an individual has been exposed, that is, DAC-hours. [See the definition of DAC-hours in Part D].

Individual monitoring devices means devices designed to be worn by a single individual for the assessment of dose equivalent. For purposes of these regulations, "personnel dosimeter" and "dosimeter" are equivalent terms. Examples of individual monitoring devices are film badges, thermoluminescent dosimeters (TLDs), pocket ionization chambers, personal air sampling devices, and optically stimulated luminescence (OSL) devices..

Inspection means an official examination or observation including but not limited to, tests, surveys, and monitoring to determine compliance with rules, regulations, orders, requirements and conditions of the Agency.

Interlock means a device arranged or connected such that the occurrence of an event or condition is required before a second event or condition can occur or continue to occur.

Internal dose means that portion of the dose equivalent received from radioactive material taken into the body.

Lens dose equivalent (LDE) applies to the external exposure of the lens of the eye and is taken as the dose equivalent at a tissue depth of 0.3 centimeter (300 mg/cm^2).

License means a license issued by the Agency in accordance with the regulations adopted by the Agency.

Licensed [or registered] material means radioactive material received, possessed, used, transferred or disposed of under a general or specific license [or registration] issued by the Agency.

Licensee means any person who is licensed by the Agency in accordance with these regulations and the Act.

Licensing State means any State with regulations compatible to the Suggested State Regulations for Control of Radiation relating to, and an effective program for, the regulatory control of NARM and which has been granted final designation by the Conference of Radiation Control Program Directors, Inc.

Limits [See "Dose limits"].

Loose-fitting face piece means a respiratory inlet covering that is designed to form a partial seal with the face.

Lost or missing licensed [or registered] source of radiation means licensed [or registered] source of radiation whose location is unknown. This definition includes licensed [or registered] material that has been shipped but has not reached its planned destination and whose location cannot be readily traced in the transportation system.

Major processor means a user processing, handling, or manufacturing radioactive material exceeding Type A quantities as unsealed sources or material, or exceeding 4 times Type B quantities as sealed sources, but does not include nuclear medicine programs, universities, industrial radiographers or small industrial programs. Type A and B quantities are defined in Section 71.4 of 10 CFR Part 71.

Member of the public means an individual in a controlled or unrestricted area. However, an individual is not a member of the public during any period in which the individual receives an occupational dose.

Minor means an individual less than 18 years of age.

Monitoring means the measurement of radiation, radioactive material concentrations, surface area activities or quantities of radioactive material and the use of the results of these measurements to evaluate potential exposures and doses. For purposes of these regulations, "radiation monitoring" and "radiation protection monitoring" are equivalent terms.

NARM means any naturally occurring or accelerator-produced radioactive material. It does not include byproduct, source, or special nuclear material. See Appendix B of Part C.

Natural radioactivity means radioactivity of naturally occurring nuclides.

Negative pressure respirator (tight fitting) means a respirator in which the air pressure inside the face piece is negative during inhalation with respect to the ambient air pressure outside the respirator.

Nuclear Regulatory Commission (NRC) means the U.S. Nuclear Regulatory Commission or its duly authorized representatives.

Occupational dose means the dose received by an individual in the course of employment in which the individual's duties involve exposure to radiation or to radioactive material from licensed and unlicensed sources of radiation, whether in the possession of the licensee, registrant, or other person. Occupational dose does not include dose received: from background radiation, from any medical administration the individual has received, from exposure to individuals administered radioactive material and released in accordance with Part G, from voluntary participation in medical research programs, or as a member of the public.

Package means the packaging together with its radioactive contents as presented for transport.

Particle accelerator [see "Accelerator"].

Person means any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, agency, political subdivision of this State, any other State or political subdivision or agency thereof, and any legal successor, representative, agent or agency of the foregoing but not including Federal Government agencies.

Personnel monitoring equipment [See "Individual monitoring devices"]

Pharmacist means an individual licensed by this State to compound and dispense drugs, prescriptions, and poisons.

Physician means an individual duly registered and licensed to practice medicine or surgery or any branch thereof under 32 MRSA §3270.

Podiatrist means an individual duly registered and licensed to practice podiatry or any branch thereof under 32 MRSA §3552.

Positive pressure respirator means a respirator in which the pressure inside the respiratory inlet covering exceeds the ambient air pressure outside the respirator.

Powered air-purifying respirator (PAPR) means an air-purifying respirator that uses a blower to force the ambient air through air-purifying elements to the inlet covering.

Pressure demand respirator means a positive pressure atmosphere-supplying respirator that admits breathing air to the face piece when the positive pressure is reduced inside the face piece by inhalation.

Principal activities, as used in this part, means activities authorized by the license, which are essential to achieving the purpose(s) for which the license was issued or amended. Storage during which no licensed material is accessed for use or disposal and activities incidental to decontamination or decommissioning are not principal activities.

Production facility means production facility as defined in the regulations contained in Part C of these regulations.

Public dose means the dose received by a member of the public from exposure to radiation or to radioactive material released by a licensee, or to any other source of radiation under the control of a licensee. Public dose does not include occupational dose or doses received from background radiation, from any medical administration the individual has received, from exposure to individuals administered radioactive material and released, under Part G, from voluntary participation in medical research programs.

Pyrophoric liquid means any liquid that ignites spontaneously in dry or moist air at or below 130 °F (54.4 °C). A pyrophoric solid is any solid material, other than one classed as an explosive, which under normal conditions is liable to cause fires through friction, retained heat from manufacturing or processing, or which can be ignited readily and, when ignited, burns so vigorously and persistently as to create a serious transportation, handling, or disposal hazard. Included are spontaneously combustible and water-reactive materials.

A.2

Radiation safety officer means one who has the knowledge and responsibility to apply appropriate radiation protection regulations.

Radioactive material means any solid, liquid, or gas, which emits radiation spontaneously.

Qualified Expert means an individual who is either a Radiological Physicist, or an X-ray Survey Technician (see Part F.4.) and has demonstrated to the satisfaction of the Agency that such individual possesses the knowledge and training to measure ionizing radiation, to evaluate safety techniques, and advise regarding radiation protection needs. With reference to the calibration of radiation therapy equipment, an individual having, in addition to the above qualifications, training and experience in the clinical applications of radiation physics to radiation therapy.

Qualitative fit test (QLFT) means a pass/fail fit test to assess the adequacy of respirator fit that relies on the individual's response to the test agent.

Quality factor (Q) means the modifying factor, listed in Tables I and II of A.13 that is used to derive dose equivalent from absorbed dose.

Quantitative fit test (QNFT) means an assessment of the adequacy of respirator fit by numerically measuring the amount of leakage into the respirator.

Rad means the special unit of absorbed dose. One rad is equal to an absorbed dose of 100 erg per gram or 0.01 joule per kilogram (0.01 Gy).

Radiation means ionizing radiation, which includes any or all of the following: gamma and x-rays, alpha and beta particles, high speed electrons, neutrons, high speed protons, and other atomic particles.

Radiation Area means an area, accessible to individuals, in which radiation levels could result in an individual receiving a dose equivalent in excess of 0.005 rem (0.05 mSv), in 1 hour at 30 centimeters from the radiation source or from any surface that the radiation penetrates.

Radiation dose [See "Dose"].

Radiation machine means any device capable of producing radiation except those, which produce radiation only from radioactive material.

Radioactivity means the transformation of unstable atomic nuclei by the emission of radiation.

Radio-bioassay [See "Bioassay"].

Radiological Physicist means an individual who:

- (1) is certified by the American Board of Radiology in therapeutic radiological physics, diagnostic radiological physics, or medical nuclear physics; or
- (2) has a bachelor's degree in one of the physical sciences or engineering and three years full-time experience working in therapeutic radiological physics under the direction of a physicist certified by the American Board of Radiology. The work duties must include duties involving the calibration and spot checks of a medical accelerator or sealed source teletherapy unit; or
- (3) has a Master's degree or Doctorate in physics, biophysics, radiological physics, health physics, or engineering; has had 1 year's full-time training in therapeutic radiological physics; and has had 1 year's full-time work experience in a radiotherapy facility where the individual's duties involve calibration and spot checks of a medical accelerator or a sealed source teletherapy unit.

Registrant means any person who is registered with the Agency and is legally obligated to register with the Agency pursuant to these regulations and the Act.

Registration means registration with the Agency in accordance with the regulations adopted by the Agency.

Regulations of the U.S. Department of Transportation means the regulations in 49 CFR Parts 100-189.

REM means a special unit of dose equivalent. One millirem (mrem) = 0.001 rem. For the purpose of these regulations, any of the following is considered to be equivalent to a dose of one rem:

- (1) An exposure of 1 roentgen of x or gamma radiation.
- (2) An absorbed dose of 1 rad due to x, gamma, or beta radiation.
- (3) An absorbed dose of 0.05 rad due to particles heavier than protons and with sufficient energy to reach the lens of the eye.
- (4) An absorbed dose of 0.1 rad due to neutrons or high energy protons; or 2.5×10^7 neutrons/square centimeter incident upon the body; or estimating the energy distribution of the neutron flux with reasonable accuracy as indicated in table 2 of A.13.A(5).

Research and development means (a) theoretical analysis, exploration, or experimentation; or (b) the extension of investigative findings and theories of a scientific or technical nature into practical application for experimental and demonstration purposes, including the experimental production and testing of models, devices, equipment, materials, and processes. Research and development does not include the internal or external administration of radiation or radioactive material to human beings.

Residual radioactivity means radioactivity in structures, materials, soils, groundwater, and other media at a site resulting from activities under the licensee's control. This includes all radioactivity from all licensed and unlicensed sources used by the licensee, but excludes background radiation. It also includes radioactive materials remaining at the site as a result of routine or accidental releases of radioactive materials at the site and previous burials at the site, even if those burials were made in accordance with the provisions of Part D.

Restricted area means any area access to which is controlled by the licensee or registrant for purposes of protection of individuals from exposure to radiation and radioactive material. A restricted area shall not include any areas used for residential quarters, although a separate room or rooms in a residential building may be set apart as a restricted area.

Roentgen means the special unit of exposure. One roentgen (R) equals 2.58×10^{-4} coulombs/kilogram of air. (See "Exposure").

Sealed source means any radioactive material that is encased in a capsule designed to prevent leakage or escape of the radioactive material.

Self-contained breathing apparatus (SCBA) means an atmosphere-supplying respirator for which the breathing air source is designed to be carried by the user.

Shallow dose equivalent (H_s), which applies to the external exposure of the skin of the whole body or the skin of an extremity, means the dose equivalent at a tissue depth of 0.007 centimeter (7 mg/cm^2).

SI means the abbreviation for the International System of Units.

Sievert means the SI unit of any of the quantities expressed as dose equivalent. The dose equivalent in sievert (Sv) is equal to the absorbed dose in gray multiplied by the quality factor ($1 \text{ Sv} = 100 \text{ rem}$).

Site area emergency means events may occur, are in progress, or have occurred that could lead to a significant release of radioactive material and that could require a response by offsite response organizations to protect persons offsite.

Site boundary means that line beyond which the land or property is not owned, leased, or otherwise controlled by the licensee or registrant.

Source material means

- (1) uranium or thorium, or any combination thereof, in any physical or chemical form; or
- (2) ores, which contain by weight one-twentieth of one percent (0.05 percent) or more of
 - a. uranium,
 - b. thorium, or
 - c. any combination thereof.

Source material does not include special nuclear material.

Source material milling means any activity that results in the production of byproduct material as defined by definition of byproduct material.

Source of radiation means any radioactive material or any device or equipment emitting, or capable of producing radiation.

Special form means radioactive material, which satisfies the following conditions:

- (1) It is either a single solid piece or is contained in a sealed capsule that can be opened only by destroying the capsule;
- (2) The piece or capsule has at least one dimension not less than 5 millimeters (0.2 inch); and
- (3) It satisfies the test requirements specified by the U.S. NRC. A special form encapsulation designed in accordance with the NRC requirements in effect on June 30, 1983, and constructed prior to July 1, 1985 may continue to be used. A special form encapsulation either designed or constructed after June 30, 1985 must meet requirements of this definition applicable at the time of its design or construction.

Special nuclear material means:

- (1) Plutonium, uranium-233, uranium enriched in the isotope 233 or in the isotope 235, and any other material that the Agency declares by order to be special nuclear material after ^{2/} the U.S. Nuclear Regulatory Commission, pursuant to the provisions of section 51 of the Atomic Energy Act of 1954, as amended, determines to be special nuclear material, but does not include source material; or
- (2) Any material artificially enriched by any of the foregoing but does not include source material.

2/ This wording is provided for states that cannot automatically adopt changes made by the Nuclear Regulatory Commission.

Special nuclear material in quantities not sufficient to form a critical mass means uranium enriched in the isotope U-235 in quantities not exceeding 350 grams of contained U-235; uranium-233 in quantities not exceeding 200 grams; plutonium in quantities not exceeding 200 grams; or any combination of them in accordance with the following formula: For each kind of special nuclear material, determine the ratio between the quantity of that special nuclear material and the quantity specified above for the same kind of special nuclear material. The sum of such ratios for all of the kinds of special nuclear material in combination shall not exceed "1" (i.e., unity). For example, the following quantities in combination would not exceed the limitation and are within the formula:

$$\frac{175(\text{grams containing U-235})}{350} + \frac{50(\text{gms U-233})}{200} + \frac{50(\text{gms Pu})}{200} = 1$$

Supplied-air respirator (SAR) or airline respirator means an atmosphere-supplying respirator for which the source of breathing air is not designed to be carried by the user.

Survey means an evaluation of the radiological conditions and potential hazards incident to the production, use, transfer, release, disposal, and/or presence of radiological material or other sources of radiation. When appropriate, such an evaluation includes, but is not limited to, a physical survey of the location of radioactive material and measurements or calculations of levels of radiation, or concentration or quantities of radioactive material present.

Test means the process of verifying compliance with applicable regulation.

These regulations means all parts of Maine Rules Relating to Radiation Protection 10-144A CMR 220.

Tight-fitting face piece means a respiratory inlet covering that forms a complete seal with the face.

Total effective dose equivalent (TEDE) means the sum of the deep dose equivalent for external exposures and the committed effective dose equivalent for internal exposures.

Total organ dose equivalent (TODE) means the sum of the deep dose equivalent and the committed dose equivalent to the organ receiving the highest dose as described in D.46.A(6) of these regulations.

U.S. Department of Energy means the Department of Energy established by Public Law 95-91, August 4, 1977, 91 Stat. 565, 42 U.S.C. 7101 et seq., to the extent that the Department exercises functions formerly vested in the U.S. Atomic Energy Commission, its Chairman, members, officers and components and transferred to the Energy Research and Development Administration and to the Administrator thereof pursuant to sections 104(b), (c) and (d) of the Energy Reorganization Act of 1974 (Public Law 93-438, October 11, 1974, 88 Stat. 1233 at 1237, 42 U.S.C. 5814, effective January 19, 1975) and retransferred to the Secretary of Energy pursuant to section 301(a) of the Department of Energy Organization Act (Public Law 95-91, August 4, 1977, 91 Stat. 565 at 577-578, 42 U.S.C. 7151, effective October 1, 1977.)

Unrefined and unprocessed ore means ore in its natural form prior to any processing, such as grinding, roasting, beneficiating, or refining.

Unrestricted area means any area access to, which is neither limited nor controlled by the licensee or registrant. For purposes of these regulations, "uncontrolled area" is an equivalent term.

User seal check (fit check) means an action conducted by the respirator user to determine if the respirator is properly seated to the face. Examples include negative pressure check, positive pressure check, irritant smoke check, or isoamyl acetate check.

Waste means those low-level radioactive wastes that are acceptable for disposal in a land disposal facility. For the purposes of this definition, low-level waste has the same meaning as in the Low-Level Radioactive Waste Policy Act, P.L. 96-573, as amended by P.L. 99-240, effective January 15, 1986; that is, radioactive waste (a) not classified as high-level radioactive waste, spent nuclear fuel, or byproduct material as defined in Section 11e.(2) of the Atomic Energy Act (uranium or thorium tailings and waste) and (b) classified as low-level radioactive waste consistent with existing law and in accordance with (a) by the U.S. Nuclear Regulatory Commission.

Waste handling licensees means persons licensed to receive and store radioactive wastes prior to disposal and/or persons licensed to dispose of radioactive waste.

Week means 7 consecutive days starting on Sunday.

Whole body means, for purposes of external exposure, head, trunk including male gonads, arms above the elbow, or legs above the knee.

Worker means an individual engaged in work under a license or registration issued by the Agency and controlled by a licensee or registrant, but does not include the licensee or registrant.

Working level (WL) means any combination of short-lived radon daughters in 1 liter of air that will result in the ultimate emission of $1.3\text{E}+5$ MeV of potential alpha particle energy. The short-lived radon daughters are for radon-222: polonium-218, lead-214, bismuth-214, and polonium-214; and for radon-220: polonium-216, lead-212, bismuth-212, and polonium-212.

Working level month (WLM) means an exposure to 1 working level for 170 hours. 2,000 working hours per year divided by 12 months per year is approximately equal to 170 hours per month.

Year means the period of time beginning in January used to determine compliance with the provisions of these regulations. The licensee or registrant may change the starting date of the year used to determine compliance by the licensee or registrant provided that the change is made at the beginning of the year and that no day is omitted or duplicated in consecutive years.

3. Exemptions.

- A. General Provision. The Agency may, upon application therefore or upon its own initiative, grant such exemptions or exceptions from the requirements of these regulations as it determines are authorized by law and will not result in undue hazard to public health and safety or property.
- B. U.S Department of Energy Contractors and U.S. Nuclear Regulatory Commission Contractors. Any U.S. Department of Energy contractor or subcontractor and any U.S. Nuclear Regulatory Commission contractor or subcontractor of the following categories operating within this State is exempt from these regulations to the extent that such contractor or subcontractor under his contract receives, possesses, uses, transfers or acquires sources of radiation:
 - (1) prime contractors performing work for the U.S. Department of Energy at U.S. Government-owned or controlled sites, including the transportation of sources of radiation to or from such sites and the performance of contract services during temporary interruptions of such transportation;
 - (2) prime contractors of the U.S. Department of Energy performing research in, or development, manufacture, storage, testing or transportation of, atomic weapons or components thereof;
 - (3) prime contractors of the U.S. Department of Energy using or operating nuclear reactors or other nuclear devices in a United States Government-owned vehicle or vessel; and

(4) any other prime contractor or subcontractor of the U.S. Department of Energy or of the U.S. Nuclear Regulatory Commission when the State and the Nuclear Regulatory Commission jointly determine:

- a. that the exemption of the prime contractor or subcontractor is authorized by law; and
- b. that under the terms of the contract or subcontract, there is adequate assurance that the work there under can be accomplished without undue risk to the public health and safety.

4. Records. Each licensee and registrant shall maintain records showing the receipt, transfer, and disposal of all sources of radiation. Additional record requirements are specified elsewhere in these regulations.

5. Inspections.

- A. Each licensee and registrant shall afford the Agency at all reasonable times opportunity to inspect sources of radiation and the premises and facilities wherein such sources of radiation are used or stored.
- B. Each licensee and registrant shall make available to the Agency for inspection, upon reasonable notice, records maintained pursuant to these regulations.
- C. Inspection frequencies are indicated in Appendix A to Part C, and Part F.3.C for radiation material and x-ray machines respectively.

6. Tests. Each licensee and registrant shall perform upon instructions from the Agency, or shall permit the Agency to perform, such reasonable tests as the Agency deems appropriate or necessary including, but not limited to, tests of:

- A. source of radiation;
- B. facilities wherein sources of radiation are used or stored;
- C. radiation detection and monitoring instruments; and
- D. other equipment and devices used in connection with utilization or storage of licensed or registered sources of radiation.

7. Additional Requirements. The Agency may, by rule, regulation, or order, impose upon any licensee or registrant such requirements in addition to those established in these regulations as it deems appropriate or necessary to minimize danger to public health and safety or property.

8. Violations. An injunction or other court order may be obtained prohibiting any violation of any provision of the Act or any regulation or order issued thereunder. Any person who willfully violates any provision of the Act or any regulation or order issued thereunder may be guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both, as provided by law.

9. Impounding. Sources of radiation shall be subject to impounding pursuant to Section 688 (2) of the Act.

10. Prohibited Uses.

- A. Hand-held fluoroscopic screens shall not be used.
- B. Shoe-fitting fluoroscopic devices shall not be used.

11. Interpretations. Except as specifically authorized by the Agency in writing, no interpretation of these regulations by an officer or employee of the Agency other than a written interpretation by the legal counsel will be recognized to be binding upon the Agency.

12. Communications. All communications and reports concerning these regulations, and applications filed thereunder, should be addressed to the Radiation Control Program, State House Station 11, 161 Capitol Street, Augusta, Maine 04333-0011.

13. The International System of Units (SI). The Metric Conversion Act of 1975 (PL 94-168) urged the increasing awareness and use of the International System of Units (SI). The generally accepted regulatory values in the narrative portions of this document are followed by the SI equivalents in parentheses. Where appropriate, schedules and appendices are provided with notes concerning conversion factors. The inclusion of the SI equivalent is for informational purposes only unless otherwise specified.

A. Units of Exposure and Dose

- (1) **ABSORBED DOSE.** The unit of absorbed dose is the gray (Gy) which is equal to 1 joule per kilogram. One rad is equal to 1×10^{-2} gray. Sub-multiples included in this document are the milligray (mGy) and the microgray (μ Gy).
- (2) **DOSE EQUIVALENT.** The unit of dose equivalent is the sievert (Sv) which is equal to 1 joule per kilogram. The dose equivalent in sievert is equal to the absorbed dose in gray multiplied by the quality factor. One REM is equal to 1×10^{-2} sievert. Submultiples included in this document are the millisievert (mSv) and the microsievert (μ Sv).
- (3) **EXPOSURE.** The unit of exposure is the coulomb per kilogram (C/kg). One roentgen is equal to 2.58×10^{-4} coulomb per kilogram of air. Submultiples of this unit are the millicoulomb per kilogram (mC/kg) and the microcoulomb per kilogram (μ C/kg).
- (4) **QUALITY FACTORS.** As used in these regulations, the quality factors for converting absorbed dose to dose equivalent are shown in Table I.

TABLE I

QUALITY FACTORS AND ABSORBED DOSE EQUIVALENCIES

TYPE OF RADIATION	Quality Factor (Q)	Absorbed Dose Equal to a Unit Dose Equivalent ^a
X, gamma, or beta radiation and high-speed electrons	1	1
Alpha particles, multiple-charged particles, fission fragments and heavy particles of unknown charge	20	0.05
Neutrons of unknown energy	10	0.1
High-energy protons	10	0.1

^aAbsorbed dose in gray equal to 1 Sv or the absorbed dose in rad equal to 1 rem.

A.13.A.(5)

- (5) If it is more convenient to measure the neutron influence rate than to determine the neutron dose equivalent rate in sievert per hour or rem per hour, as provided in A.13.A(4), 0.01 Sv (1 rem) of neutron radiation of unknown energies may, for purposes of these regulations, be assumed to result from a total influence of 25 million neutrons per square centimeter incident upon the body. If sufficient information exists to estimate the approximate energy distribution of the neutrons, the licensee or registrant may use the fluence rate per unit dose equivalent or the appropriate Q value from Table II to convert a measured tissue dose in gray or rad to dose equivalent in sievert or rem.

TABLE II

**MEAN QUALITY FACTORS, Q, AND FLUENCE PER UNIT DOSE
EQUIVALENT FOR MONOENERGETIC NEUTRONS**

Neutron Energy (MeV)	Quality Factor ^a (Q)	Fluence per Unit Dose Equivalent ^b (neutrons cm ⁻² rem ⁻¹)	Fluence/Unit Dose Equiv. ^b (neutrons cm ⁻² Sv ⁻¹)
(thermal)			
2.5E-8	2	980E+6	980E+8
1E-7	2	980E+6	980E+8
1E-6	2	810E+6	810E+8
1E-5	2	810E+6	810E+8
1E-4	2	840E+6	840E+8
1E-3	2	980E+6	980E+8
1E-2	2.5	1010E+6	1010E+8
1E-1	7.5	170E+6	170E+8
5E-1	11	39E+6	39E+8
1	11	27E+6	27E+8
2.5	9	29E+6	29E+8
5	8	23E+6	23E+8
7	7	24E+6	24E+8
10	6.5	24E+6	24E+8
14	7.5	17E+6	17E+8
20	8	16E+6	16E+8
40	7	14E+6	14E+8
60	5.5	16E+6	16E+8
1E+2	4	20E+6	20E+8
2E+2	3.5	19E+6	19E+8
3E+2	3.5	16E+6	16E+8
4E+2	3.5	14E+6	14E+8

^aValue of quality factor (Q) at the point where the dose equivalent is maximum in a 30-centimeter diameter cylinder tissue-equivalent phantom.

^bMonoenergetic neutrons incident normally on a 30-centimeter diameter cylinder tissue-equivalent phantom.

- B. Units of Activity. For purposes of these regulations, activity is expressed in the SI unit of becquerel (Bq) or in the special unit of curie (Ci), or their multiples, or disintegrations or transformations per unit of time.

- (1) The unit of measurement of radioactivity is the becquerel (Bq) and it is equal to one transformation per second.
- (2) One curie is equal to 3.7×10^{10} disintegrations or transformations per second (dps or tps) = $3.7\text{E}+10$ becquerel (Bq) = $2.22\text{E}+12$ disintegrations or transformations per minute (dpm or tpm). Multiples included in this document are kilobecquerel (kBq), megabecquerel (MBq), gigabecquerel (GBq), and petabecquerel (PBq).